

Serial No. 09/458,319

Page 6 of 9

REMARKS

This response is intended as a full and complete response to the final Office Action mailed March 22, 2006. In the Office Action, the Examiner notes that claims 8-21 are pending of which claims 8-21 stand rejected. By this response, all the pending claims continue unamended.

In view of the following discussion, Applicants submit that none of the claims now pending in the application are obvious under the provisions of 35 U.S.C. §103. Thus, Applicants believe that all of these claims are now in allowable form.

It is to be understood that Applicants do not acquiesce to the Examiner's characterizations of the art of record or to Applicants' subject matter recited in the pending claims. Further, Applicants are not acquiescing to the Examiner's statements as to the applicability of the art of record to the pending claims by filing the instant responsive amendments.

REJECTIONS**35 U.S.C. §103****Claims 8-21**

The Examiner has rejected claims 8-21 under 35 U.S.C. §103(a) as being unpatentable over Day et al. (U.S. Pat. 5,996,015, hereinafter "Day") in view of DeMoney (U.S. Patent 6,065,050, hereinafter "DeMoney"), Katinsky et al. (U.S. Pat. 6,452,609, hereinafter "Katinsky") and Goode et al. (U.S. Patent 5,781,227, hereinafter "Goode"). Applicants respectfully disagree.

As discussed in Applicants' response to the non-final Action mailed on December 29, 2005, the present invention is directed towards reducing latency of video on demand (VOD) systems. As discussed in the previous response, such latency is reduced by careful construction of content streams having a plurality of splicing entry and exit points dispersed therein to enable transitioning between content streams, by ensuring that the stream controller has continuous access to the playlist and by utilizing subscriber-side latency masking techniques (See, page 13, line 29 to page 14, line 2). The currently amended claims further include those limitations

423561-2

Serial No. 09/458,319

Page 7 of 9

Day is not cited by the Office Action as teaching or suggesting a session manager for maintaining a playlist, each content stream comprising a plurality of splicing points dispersed therein to enable transitioning between content streams. Applicants agree that Day does not supply that element.

DeMoney discloses an efficient index table having two-tuples for use with trick play streams. As stated by the Office Action, DeMoney teaches associating trick play streams with a content stream by having an index table that contains the offset points that mark the entry and exit points. DeMoney is silent on using playlist modification commands to control different spliced content streams. Trick play streams have the same content as its corresponding content stream so those trick play streams are not different content streams. Thus, DeMoney does not teach or suggest a session manager for maintaining a playlist, each content stream comprising a plurality of splicing points dispersed therein to enable transitioning between content streams.

Katinsky discloses a user friendly media player at the user terminal using "pageless" internet site where media streams are delivered to the user without the user having to navigate to different pages. The user manipulates the media icon to create a playlist of media objects. The sequencer allows the user to select media icons from the media icon panel, and to create and modify one or more user-defined playlists. Katinsky merely teaches that a playlist can be created. It is silent on that the media objects include splicing points. Thus, Katinsky is silent on using playlist modification commands to control different spliced content streams. Trick plays have the same content so they are not different content streams. Therefore, Katinsky also does not teach or suggest a session manager for maintaining a playlist, each content stream comprising a plurality of splicing points dispersed therein to enable transitioning between content streams.

Day, DeMoney or Katinsky, singly or in combination, does not disclose at least a session manager for maintaining a playlist, each content stream comprising a plurality of splicing points dispersed therein to enable transitioning between content streams. Specifically, none of the references teach or suggest using the splicing entry and exit points to transition between content streams which are not reverse and fast-forward streams that are associated with a content stream.

423561-2

Serial No. 09/458,319

Page 8 of 9

Furthermore, Goode fails to bridge the substantial gap between Day, DeMoney and Katinsky and Applicants' invention. In particular, nowhere in Goode is there any teaching or suggestion of Applicants' feature of a session manager that modifies a playlist in response to playlist modification commands, wherein a next stream in the playlist is spliced at an entry point associated with an exit point of a current stream.

Moreover, there is no motivation to combine the reference Day, DeMoney, Katinsky and Goode.

The Examiner states the motivation to combine Day with the index table and trick play streams of DeMoney is to reduce the processing requirement on the video server. Using the trick play streams and the index table will not reduce the processing requirement of Day. Index tables and trick play streams cause additional processing to be performed. Even if the system of Day is able to use the trick streams of DeMoney, it still has to initialize the trick play streams for those segments to be sent to the subscriber (i.e., FIG. 3, 315). In addition, Day already performs VCR functions. There is no motivation to use a different set of VCR functions when the DeMoney VCR functions offer no additional advantages to the VCR functions of Day. Thus, there is no motivation to combine Day with DeMoney.

Even if Day can be operably combined with DeMoney, there is no motivation to further combine it with Katinsky. The Examiner states the motivation for this combination is to allow the user to dynamically modify or change the sequence of media content stream to be played. The system of Day already allows the user to add, delete, change and view attributes of assets. Therefore, there is no motivation to use an equivalent content manager at the subscriber side to perform the same tasks. Because there is no advantage to have two content managers, one on the subscriber side and one at the server, there is no motivation to combine Day and DeMoney in view of Katinsky.

Even if Day and DeMoney can be combined with Katinsky, In fact, there is no desirability for Katinsky, Day and DeMoney to be combined with Goode. Day in view of DeMoney and Katinsky specifically disclosed a way to seamlessly provide a video

Serial No. 09/458,319

Page 9 of 9

stream. Therefore, there is no latency at the subscriber side. Examiner states that the motivation is to mask the effects of latency to create a smooth playback. However, Day in view of DeMoney and Katinsky already creates a smooth playback. Thus, there is no need to also have a subscriber side latency masking technique. Because it is unnecessary to have a subscriber side latency masking technique for Day in view of DeMoney and Katinsky, there is no motivation to combine Goode with Day, DeMoney and Katinsky.


For at least the above reasons, Applicants submit that independent claims 8 and 16 are not obvious and fully satisfy the requirements of 35 U.S.C. §103 and are patentable thereunder. Furthermore, claims 9-15 and 17-21 depend, either directly or indirectly, from independent claims 8 and 16 and recite additional features thereof. As such, and at least for the same reasons as discussed above, Applicants submit that these dependent claims also fully satisfy the requirements of 35 U.S.C. §103 and are patentable thereunder. Therefore, Applicants respectfully request that the rejections be withdrawn.

CONCLUSION

Thus, Applicants submit that all of the claims presently in the application are non-obvious and patentable under the provisions of 35 U.S.C. §103. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

Respectfully submitted,

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423561-2